IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.20310 of 1998

Between:

1 T. Surya Rao, S/o. T.Sanyasi Gupta,
C/o. S.V.L.W, Rice Mill, Vizianagaram District.
2 Gude Apparao, S/o. G.P.Rao, (Major),
R/o. Parameshwari Rice & Flour Mill, Vizianagarm District.

..... PETITIONERS

AND

1 The Govt. of A.P. Rep.by its Principal Secretary, Panchayat Raj,

Rural Development, and Relief (Pts.III) Dept.
Secretariat Buildings, Hyderabad.
2 The Executive Officer,
Kothavalasa Gram panchayat, Kothavalasa ,
Vizianagaram District.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus, declaring the G.O. Ms.
No. 16 Panchayat Raj, Rural Development & Reliefs (PTS-III) Dept, Dated 10-1-96 and the consequential circular issued by the 2nd respondent herein dt. 28-4-98 (Notice) directing the petitioners to pay the enhanced amount of Rs.2000/- towards the year 1997-98, as illegal, arbitrary, unconstitutional and in violation of Art. 14, 19(1) (g) and 21 and 300A of the Constitution of India and without jurisdiction and consequentially to set aside the same and to issue a consequential direction to the respondents to collect the fee paid i.e., Rs. 56.25 Ps. from the petitioners as per the old rates and renew the petitioners licences.

Counsel for the Petitioners: MR. A.L.RAJU (Not present)

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL

DEVELOPMENT.

The Court made the following:

ORDER:

The petitioners filed the present writ petition seeking to declare the G.O.Ms.No.16, Panchayat Raj, Rural Development and Relief
(PTS-III) Department, dated 10.01.1996 and the consequential circular issued by the 2nd respondent bearing ROC.No.60, dated 29.02.1996 directing them to pay the enhanced electricity consumption charges as illegal and arbitrary and consequently to direct the respondents to collect the consumption charges from them as per the old rates and renew their licenses.

When the matter is taken up for hearing, none appears for the petitioners. Learned Government Pleader appearing for the respondents submits that the subject matter of this writ petition is squarely covered by the judgment of this Court in W.P.No.4246 of 1997, dated 2-2-2001. In the circumstances, following the above judgment, this writ petition is also dismissed for the same and similar reasons. No costs.

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N.V. RAMANA, J.

Date: 03.03.2005

Nsr/Tvk

.... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Principal Secretary, Panchayat Raj,

Rural Development, and Relief (Pts.III) Dept. Govt. of A.P.
Secretariat Buildings, Hyderabad.

2 The Executive Officer,
Kothavalasa Gram panchayat, Kothavalasa ,
Vizianagaram District.

3 Two CCs to GP for Panchayat Raj and Rural Development, High

Court of AP, Hyderabad (OUT)

4 Two CD copies

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